

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FRANK INGLIS AND TERESA INGLIS,) Case No. 08cv1825-JM (BLM)
)
Plaintiffs,) **ORDER GRANTING JOINT MOTION TO**
) **CONTINUE EXPERT DISCLOSURE**
v.) **DEADLINES**
)
D.R. HORTON, INC., JAMES) [Doc. No. 19]
PRITCHETT, and DOES 1-10,)
)
Defendants.)
_____)

By joint motion dated March 26, 2009, the parties request to continue the deadlines for serving expert disclosures and rebuttal disclosures by forty-five days. Doc. No. 19.

Good cause appearing, the joint motion is **GRANTED**. All expert disclosures required by Fed. R. Civ. P. 26(a)(2) shall be served on all parties on or before **May 11, 2009**. Any contradictory or rebuttal information shall be disclosed on or before **June 8, 2009**. In addition, Fed. R. Civ. P. 26(e)(1) imposes a duty on the parties to supplement the expert disclosures made pursuant to Fed. R. Civ. P. 26(a)(2)(B) by the time that pretrial disclosures are due under Fed. R. Civ. P. 26(a)(3) (discussed below).

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1 The parties are advised to consult with Fed. R. Civ. P. 26(a)(2)
2 regarding expert disclosures. Such disclosures shall include an expert
3 report, all supporting materials, a complete statement of all opinions
4 to be expressed and the basis and reasons therefor, the data or other
5 information considered by the expert in forming the opinions, any
6 exhibits to be used as a summary of or support for the opinions, the
7 qualifications of the witness including a list of all publications
8 authored by the witness within the preceding ten years, the compensation
9 to be paid for the study and testimony, and a list of other cases in
10 which the witness has testified as an expert at trial or by deposition
11 within the preceding four years.

12 This disclosure requirement applies to all persons retained or
13 specially employed to provide expert testimony, or whose duties as an
14 employee of the party regularly involve the giving of expert testimony.

15 **Please be advised that failure to comply with this section or any**
16 **other discovery order of the Court may result in the sanctions provided**
17 **for in Fed. R. Civ. P. 37, including a prohibition on the introduction**
18 **of experts or other designated matters in evidence.**

19 The deadline for completing fact discovery shall remain May 29,
20 2009. All expert discovery shall be completed on or before June 15,
21 2009. "Completed" means that all discovery under Rules 30-36 of the
22 Federal Rules of Civil Procedure, and discovery subpoenas under Rule 45,
23 must be initiated a sufficient period of time in advance of the cut-off
24 date, so that it may be completed by the cut-off date, taking into
25 account the times for service, notice, and response as set forth in the
26 Federal Rules of Civil Procedure.

27 Counsel shall promptly and in good faith meet and confer with
28 regard to all discovery disputes in compliance with Civil Local Rules

1 16.5(k) and 26.1(a). All discovery motions shall be filed within thirty
2 (30) days after counsel have met and conferred and reached an impasse
3 with regard to any particular discovery issue, but in no event shall
4 discovery motions be filed more than sixty (60) days after the date upon
5 which the event giving rise to the discovery dispute occurred. For oral
6 discovery, the event giving rise to the discovery dispute is the
7 completion of the transcript of the affected portion of the deposition.
8 For written discovery, the event giving rise to the discovery dispute is
9 either the service of the response, or, if no response was served, the
10 initial date the response was due. In addition, all discovery motions
11 must be filed within thirty (30) days after the close of discovery.

12 All other dates and deadlines shall remain as previously set.

13 IT IS SO ORDERED.

14 DATED: March 27, 2009

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16 BARBARA L. MAJOR
17 United States Magistrate Judge
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